

CHESHAM TOWN COUNCIL

Minutes of the meeting of the TOWN COUNCIL

held on Monday 17th November 2008

PRESENT: Councillor Mrs J.C. Fulford, Deputy Mayor (presiding)

Councillor	V.M. Abraham	Councillor	D.J. Lacey
"	A.K. Bacon	"	Mrs C. Littley
"	E.L. Bamford	"	Mrs C.M. Michael
"	M.Z. Bhatti	"	Mrs M. Molesworth
"	M.E. Brand	"	C.H. Spruytenburg
"	N.L. Brown	"	Mrs G. Walker
"	M. Fayyaz	"	Mrs P.R. Wilkinson M.B.E
"	F.G. Holly	"	P.W. Yerrell

Officers: Mr W. Richards - Town Clerk
Mr S. Pearson - Finance and Contracts Manager

Apologies for absence were received from Councillors Ms J.E. Bramwell and Mrs A.M. Pirouet.

54. **PUBLIC QUESTION TIME**

The Deputy Town Mayor invited questions from the public.

Mrs J. Longhurst asked why the Council could not provide a circus without performing animals on its land.

Mrs N. Elias asked whether the Council would be taking active steps to protect its public from what she considered a real threat from disease and general public safety emanating from circuses that used performing animals and whether it would be taking a proactive position in trying to attract the many animal free circuses touring in Britain.

The Deputy Town Mayor thanked both members of the public for their questions and advised that the matter of performing animals and circuses would be debated later in the Council agenda. Councillor Mrs Fulford invited both questioners to stay and listen to the debate.

THE DEPUTY TOWN MAYOR OPENED THE COUNCIL MEETING AT 7.37PM

55. **MINUTES**

It was

RESOLVED

that the Minutes of the Meeting of the Council held on the 22nd September 2008 be confirmed and signed by the Deputy Town Mayor as a true record.

56. **DECLARATIONS OF INTEREST**

As well as those Members who had already declared their prejudicial interests at the Policy and Resources Committee on the 20th October 2008, the following prejudicial declarations of interest were recorded in respect of agenda item 8 – Annual Donations.

Councillor M.Z. Bhatti - Chesham Youth Council and Chiltern Racial Equality Council
Councillor D.J. Lacey - Pond Park Community Association
Councillor Mrs C. Littley - Chesham Environmental Group
Councillor Mrs C.M. Michael - Amersham and Chesham Lions Club
Councillor Mrs G. Walker - Chesham Fairtrade Steering Committee and Way-In (Chiltern Youth Matters)
Councillor P.W. Yerrell - Pond Park Community Association

In respect of the Policy and Resources Committee minutes, Councillor Brown advised he was no longer connected to the Chiltern Citizens' Advice Bureau and therefore had no interest to declare in regard to the organisation's donation request.

Note; Each Member both listed above and those who had previously declared interests at the Policy and Resources Committee left the Chamber and took no part in the discussions of the relevant organisation's grant request.

57. **MAYORAL ENGAGEMENTS AND ANNOUNCEMENTS**

Members had before them and duly noted the list of the Town Mayor's engagements from 23rd September – 17th November 2008. The Deputy Town Mayor reported that she had attended the following additional engagement:

- Friday 14th November - Let's Do It awards, sponsored by Barclays Bank and the Buckinghamshire Examiner.

The Clerk advised that, due to illness, the Mayor had been unable to attend the Buckinghamshire Association of Local Councils' AGM held on the same day.

The Deputy Mayor then invited Councillor Lacey, to address the Council.

Councillor Lacey stated that he had been presented with an historic photograph of Chesham Broadway while on holiday in Devon and the member of public had expressed the wish that it be publicly displayed. Accordingly Councillor Lacey proposed that it be donated to Chesham Museum. Councillor Spruytenburg, on behalf of the Chesham Trustees, gratefully accepted the photograph and expressed his thanks to Councillor Lacey.

58. **CHESHAM YOUTH COUNCIL**

The minutes of the Youth Council meetings of the 17th September and the 15th October 2008 were presented and noted.

59. **DEVELOPMENT CONTROL COMMITTEE**

It was moved by Councillor Mrs M. Molesworth and seconded by Councillor F.G. Holly and

RESOLVED

that the Minutes of the meeting of the Development Control Committee held on 22nd September 2008, be received and approved.

It was moved by Councillor Mrs M. Molesworth and seconded by Councillor V.M. Abraham and

RESOLVED

that the Minutes of the meeting of the Development Control Committee held on 20th October 2008, be received and approved.

It was moved by Councillor Mrs M. Molesworth and seconded by Councillor M. Fayyaz and

RESOLVED

that the Minutes of the meeting of the Development Control Committee held on 3rd November 2008, be received and approved.

60. **STREETLIGHTING SWITCH-OFF AMERSHAM ROAD**

Arising from *Minute No.53* of the Minutes of the meeting of the Development Control Committee held on 20th October 2008, Councillor Brand opined that Buckinghamshire County Council's response to the Council's request that the decision to switch off streetlights in Amersham Road be reconsidered was unsatisfactory. Accordingly it was agreed that this be discussed at the next Development Control Committee meeting.

61. **RECREATION AND THE ARTS COMMITTEE**

It was moved by Councillor A.K. Bacon and seconded by Councillor C.H. Spruytenburg and

RESOLVED

that the Minutes of the meeting of the Recreation and the Arts Committee held on 6th October 2008, be received and approved.

62. **USE OF ANIMALS AT CIRCUSES**

Arising from *Minute No.38* of the Minutes of the meeting of the Recreation and the Arts Committee held on 6th October 2008, Members undertook a lengthy debate to determine its position on whether to allow non-domesticated animals to perform at circuses on Council land.

Councillor Bacon opened the discussion and stated that for many years the Council had shown itself responsible by insisting on a veterinarian's report when animals were used. In light of the Animal Welfare Act 2006 and subsequent Department of Environment, Food and Rural Affairs (DEFRA) Circus Working Party report, it was likely, he opined, that the government would be implementing secondary legislation to set up some sort of circus licensing scheme. He referred to the legal advice obtained by the Clerk that town and parish councils had no powers to ban circus animals per se and argued therefore that the Council would be better advised to wait until legislation was implemented rather than risk a legal challenge.

Councillor Lacey argued that the 1,200 people who had attended the circus recently reflected the continuing support from the people of the town for this type of performance. He pointed out that a RSPCA inspector had visited the recent circus and had no objections. Moreover, he suggested that banning circuses on such grounds would set a precedent making it harder to support other events involving animals such as the Donkey Derby and horse shows.

In response, Councillor Mrs Fulford stated that, in her opinion, the DEFRA Working Party had worked from a very narrow remit and did not adequately address the matters of animal welfare. The Animal Welfare Act 2006 had brought new responsibilities to councils and she opined that allowing circus animals onto this Council's land without further safeguards may compromise the Council's adherence to this legislation. Councillor Mrs Michael concurred with this view and reminded Members that the 2006 Act placed a duty of care upon the Council and, in view of this; she expressed her hope that Members would amend the policy.

After further discussion, an amendment to the recommended resolution was proposed by Councillor Mrs C.M. Michael and seconded by Councillor F.G. Holly.

The amendment *'that the Council continue with its current policy until the government has determined its position in respect of use of non-domesticated animals in circuses but, in addition, the hirers of the Council field be required to provide a written statement to show how they comply with the Animal Welfare Act 2006 and that all hirers pay for an accredited RSPCA veterinarian's report and comply with its recommendations thereof'* was put to the vote and duly **CARRIED**.

There being no further amendments, it was put to the vote as the revised resolution and duly **CARRIED**.

It was therefore

RESOLVED

that the Council continue with its current policy until the government has determined its position in respect of use of non-domesticated animals in circuses but, in addition, the hirers of the Council field be required to provide a written statement to show how they comply with the Animal Welfare Act 2006 and that all hirers pay for an accredited RSPCA veterinarian's report and comply with its recommendations thereof.

63. **POLICY AND RESOURCES COMMITTEE**

It was moved by Councillor V.M. Abraham and seconded by Councillor A.K. Bacon and

RESOLVED

that the Minutes of the meeting of the Policy and Resources Committee held on 20th October 2008 be received and approved.

64. **PERFORMANCE REVIEW COMMITTEE**

It was moved by Councillor M. Fayyaz and seconded by Councillor F.G. Holly and

RESOLVED

that the Minutes and recommendations of the meeting of the Performance Review Committee held on 3rd November 2008 be received, approved and adopted.

65. **COUNCIL REPRESENTATION**

The Council considered possible Member representation on the Allotments Group and Local Standards Committee.

In noting that Councillor Spruytenburg had formally resigned from the Allotments Group, the Council was of the view that two Members was sufficient representation and therefore no replacement was required.

The Council was also advised that Chiltern District Council was looking to strengthen town and parish council representation on the existing Standards Committee. After noting that this representation should consist of councillors who were not members of the District Council, it was proposed and agreed that Councillor Mrs Molesworth be nominated to sit on this committee.

It was

RESOLVED

1. that no replacement for Councillor Spruytenburg be nominated for the Allotments Group.
2. that Councillor Mrs Molesworth be nominated by the Council to sit on the local Standards Committee.

66. **INDEPENDENT REVIEW OF MEMBERS' ALLOWANCE PANEL**

The Council considered its position on the matter of allowances for 2009/10 and whether it wished to make any recommendations to the District Council's Members' Allowances Panel.

It was

RESOLVED

that the Council do not recommend claiming allowances or travel allowances to Council Meetings, save for the reclaiming of parking fees on authorised business.

67. **ANNUAL DONATIONS**

The Council gave detailed consideration to the 34 applications from community organisations requesting financial assistance. The report summarised each organisation, purpose of application, grant awarded last year, where applicable, and extent of financial assistance requested for 2009.

It was

RESOLVED

i. that grants be made to the following organisations:

ORGANISATION	GRANT APPROVED £
Amersham & Chesham Hard of Hearing Club	150*
Amersham & Chesham Lions Club	100
Asheridge Vale & Lowndes Community Association	400*
Chesham Bowling Club	400
Chesham Evening Townswomen's Guild	100*
Chesham Environmental Group	400
Chesham Fairtrade Town Steering Group	200*
Chesham Museum – The Stables	250
Chesham Old People's Christmas Day Party	450*
Chesham Pioneers Blind and Visually Impaired Bowling Club	300*
Chesham Sick Poor Fund	150*
Chesham Students & Apprentices Fund	60*
Chesham Youth Council	250*
Chiltern Citizens Advice Bureau	1,500
Chiltern Racial Equality Council	500*
Chiltern & South Bucks Dial-A-Ride Ltd.	1,400*
Churches Together for Chesham	100*
COPAG Chesham Older Persons Action Group	100*
Cruse Bereavement Care Chiltern & Beaconsfield Branch	100*
Pond Park Community Association	100*
Priors Charity	40*
Rachel Johnson Trusts Education & Eleemosynary	130*
Iain Rennie Hospice at Home	100*
Schools of Chesham Carnival	100
Shed@ The Park	500*
SPACE	300*
Vitalise	276*
Voluntary Action	300*
Way-In (Chiltern Youth Matters)	500*
Weedons Almshouses Charity Trust	250*
W J Standing Bequest	40*
TOTAL DONATIONS AWARDED	9,546

* = monies allocated through section 137 of the Local Government Act 1972.

ii. that no grant be approved for Contact the Elderly, The Panda Players and RELATE Mid Thames and Buckinghamshire.

The Council then discussed the matter of complimentary use of the Town Hall and The Elgiva. Details of complimentary use for the 12 months ending 30th September 2008 were given in the report and noted by Members. The Council endorsed the continuation of complimentary use of the premises to those listed organisations, and it was

RESOLVED

that the extent of the Council's support to those local organisations in receipt of complimentary use of the Council's premises be continued and that a letter be sent to those organisation in question confirming the extent of the Council's support.

68. **PAY SCHEDULE NO. 4**

Following consideration of Pay Schedule No. 4, it was

RESOLVED

that Pay Schedule No. 4 in the grand total of £110,192.34 be approved and the various payments and transactions set out therein be confirmed.

69. **CLOSE OF MEETING**

The meeting closed at 8.52pm.

TOWN MAYOR

Publication Date: 21.11.08